APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/161,073	09/25/1998	PI-WEI CHIN	SA9-98-050	7136

32112   7590   05/21/2002

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EXAMINER
BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 05/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/161,073	Applicant(s) CHIN ET AL.
	Examiner William L. Bashore	Art Unit 2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 March 2002</u> .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
  closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>3-16 and 18-22</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>3-16 and 18-22</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

  If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a) ☐ All b) ☐ Some * c) ☐ None of:

  1. ☐ Certified copies of the priority documents have been received.

  2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

  a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: RCE and amendment, both filed 3/8/2002 to the

original application filed **9/25/1998**. IDS filed 9/25/1998.

2.   The rejection of claims 3, 5-6, 11, 16, 18-22 under 35 U.S.C. 103(a) as being unpatentable

over Motoyama has been withdrawn as necessitated by amendment.

3.   The rejection of claims 4, 7-8, 14-15 under 35 U.S.C. 103(a) as being unpatentable over

Motoyama and Levy has been withdrawn as necessitated by amendment.

4.   The rejection of claims 9-10, 12-13 under 35 U.S.C. 103(a) as being unpatentable over

Motoyama and Berg, has been withdrawn as necessitated by amendment.

5.   Claims 3-16, 18-22 are pending. Claims 3, 11, 21, are independent claims.

6.   In regard to the Berg reference, it is to be noted that the Examiner could not print the complete

web page text listing without truncation of text. Accordingly, the complete equivalent text is reproduced

on pp. 6-9 of said reference.

Continued Examination Under 37 CFR 1.114

7.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR

1.17(e), was filed in this application after final rejection. Since this application is eligible for continued

examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the

finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's

submission filed on 3/8/2002 has been entered.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of
> this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as
> a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 3, 5-6, 11, 16, 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Motoyama, U.S. Patent No. 6,208,956 issued March 2001, in view of Fukumochi et al. (hereinafter

Fukumochi), U.S. Patent No. 5,644,774 issued July 1997.

        In regard to Independent claim 3, Motoyama teaches:

        - a HTML document page translated using a resource dictionary database (file) containing

translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines

41-46, column 6 lines 41-55; compare with claim 3 *"a plurality of resource file containing data for*

replacing said replacement variable,").

        - dictionary resource files indicative of various languages for web page variable replacement

(Motoyama column 6 lines 20-24; compare with claim 3 *"said replacement variable being selectively*

replaced by data from a selected one of said resource files, each of the plurality....selected one of said

resource files.", and *"predefined passage of text"*).

        - Motoyama does not specifically teach resource files including idiomatically-correct predefined

text passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a

language as applied to translation from one language to another (Fukumochi Abstract, column 4 lines 64-

67 to column 5 lines 1-11; compare with claim 3 *"idiomatically-correct"*). It would have been obvious to

one of ordinary skill in the art at the time of the invention to apply the dictionary idioms of Fukumochi to

the resource files of Motoyama, providing Motoyama the advantage of idioms within its resource files, for accurately translating specialized phrases from one language to another.

- Motoyama does not specifically teach said page as a template. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Motoyama, because Motoyama's teaching of HTML, with its known hierarchical tag structure, clearly suggests a template structure, providing Motoyama with the organizational advantage a hierarchical page provides (Motoyama column 4 lines 14-23; compare with claim 3 "*a markup-language encoded template*").

In regard to dependent claim 5, Motoyama does not specifically teach a resource file as a "HTML" resource bundle. However, since Applicant defines said bundle as similar to a Java resource bundle, and Java resource bundles are a known Java class, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Motoyama, because Motoyama's related dictionary data files (indicative of various languages) used for the translation of various portions of a HTML page suggests a resource bundle environment, providing the advantage of files categorized by language (Motoyama column 6 lines 20-30; compare with claim 5).

In regard to dependent claim 6, claim 6 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 5, above.

In regard to independent claim 11, Motoyama teaches a HTML document translated using resource dictionary databases (files) containing various translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with

claim 11 *"providing a plurality of data files....corresponding to said variable"*, and *"predefined passage of text"*).

    - Motoyama does not specifically teach resource files including idiomatically-correct predefined text passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a language as applied to translation from one language to another (Fukumochi Abstract, column 4 lines 64-67 to column 5 lines 1-11; compare with claim 11 *"an idiomatically-correct"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the dictionary idioms of Fukumochi to the resource files of Motoyama, providing Motoyama the advantage of idioms within its resource files, for accurately translating specialized phrases from one language to another.

    - Motoyama does not specifically teach said HTML page as a template at a server. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Motoyama, because the teaching of HTML, with its known hierarchical structure, clearly suggests a template structure, to which HTML pages must be uploaded and stored on a server for publication, providing Motoyama with the organizational advantage a hierarchical page provides (Motoyama column 4 lines 14-23; compare with claim 11 "providing *an HTML template to a server, said HTML template including at least one variable"*).

    - Motoyama teaches selection of a dictionary file used to construct a page using translated words from said dictionary file (Motoyama column 6 lines 20-25; compare with claim 11 *"selecting one of said plurality of data files"*, and *"constructing an HTML encoded....replace said variable"*).

    In regard to dependent claim 16, claim 16 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 11, above.

In regard to dependent claim 18, Motoyama teaches dictionary translation database files, which teaches key/value combinations for translation (Motoyama column 6 lines 20-25; compare with claim 18).

In regard to dependent claims 19, 20, the use of curly brackets, commas, and pound signs within various languages in known in the web publishing art.

In regard to independent claim 21, Motoyama teaches:

- a HTML document translated using a resource dictionary database (file) containing translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 21 "*a markup-language encoded....having a replacement variable within*", and "*predefined passage of text*").

- Motoyama does not specifically teach resource files including idiomatically-correct predefined text passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a language as applied to translation from one language to another (Fukumochi Abstract, column 4 lines 64-67 to column 5 lines 1-11; compare with claim 21 "*an idiomatically-correct*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the dictionary idioms of Fukumochi to the resource files of Motoyama, providing Motoyama the advantage of idioms within its resource files, for accurately translating specialized phrases from one language to another.

- Motoyama does not specifically teach said HTML page as a template. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Motoyama, because Motoyama's teaching of HTML, with its known hierarchical tag structure, clearly suggests a template structure, providing Motoyama with the organizational advantage a hierarchical page provides (Motoyama column 4 lines 14-23; compare with claim 21 "*a markup-language encoded template*").

- a HTML document page translated using a resource dictionary database (file) containing translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 21 *"a plurality of resource file containing data for replacing said replacement variable,"*).

- dictionary resource files indicative of various languages for web page variable replacement (Motoyama column 6 lines 20-24; compare with claim 21 *"said replacement variable being selectively replaced by data from a selected one of said resource files, each of the plurality....selected one of said resource files."*).

In regard to dependent claim 22, Motoyama does not specifically teach a resource file as a HTML "resource bundle". However, since Applicant defines said bundle as similar to a Java resource bundle, and Java resource bundles are a known Java class, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Motoyama, because Motoyama's related dictionary data files (indicative of various languages) used for the translation of various portions of a HTML page suggests a resource bundle environment, providing the advantage of files categorized by language (Motoyama column 6 lines 20-30; compare with claim 22).

10.   Claims 4, 7-8, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama, U.S. Patent No. 6,208,956 issued March 2001, in view of Fukumochi, U.S. Patent No. 5,644,774 issued July 1997, and further in view of Levy, U.S. Patent No. 5,944,790 issued August 1999.

In regard to dependent claim 4, Motoyama does not specifically teach a language code. However, Levy teaches a country code, which is indicative of a particular language (Levy Abstract; compare with claim 4). It would have been obvious to one of ordinary skill in the art at the time of the

invention to apply Levy to Motoyama, because of Levy's taught advantage of country codes, providing
Motoyama with a way to process a particular language.

In regard to dependent claim 7, Motoyama does not specifically teach server side processing.
However, Levy teaches a server accepting a web request along with a country code for processing of said
web page (Levy column 2 lines 32-46; compare with claim 7). It would have been obvious to one of
ordinary skill in the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught
advantage of server side processing, providing Motoyama with a way to process a particular language
freeing up client resources.

In regard to dependent claim 8, claim 8 is rejected using the Examiner's argument and rationale
as set forth in the rejection of claim 7, above.

In regard to dependent claim 14, Motoyama does not specifically teach a language code.
However, Levy teaches a country code, which is indicative of a particular language (Levy Abstract;
compare with claim 14). It would have been obvious to one of ordinary skill in the art at the time of the
invention to apply Levy to Motoyama, because of Levy's taught advantage of country codes, providing
Motoyama with a way to process a particular language.

Motoyama does not specifically teach server side processing. However, Levy teaches a server
accepting a web request along with a country code for processing of said web page (Levy column 2 lines
32-46; compare with claim 14). It would have been obvious to one of ordinary skill in the art at the time
of the invention to apply Levy to Motoyama, because of Levy's taught advantage of server side
processing, providing Motoyama with a way to process a particular language freeing up client resources.

In regard to dependent claim 15, claim 15 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 14, above.

11.   **Claims 9-10, 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama, U.S. Patent No. 6,208,956 issued March 2001, in view of Fukumochi, U.S. Patent No. 5,644,774 issued July 1997, and further in view of Cliff Berg (hereinafter Berg), How do I Write an International Application?, Dr. Dobb's Journal, July 1997, downloaded web site <url: http://www.ddj.com/articles/1997/9707/97071/97071.htm?topic=java>, pp.1-5, including text equivalent pp. 6-9, (downloaded on 5/17/2001).**

In regard to dependent claim 9, the use of Java code within HTML is known in the web publishing art.

Motoyama does not specifically teach a JAR file containing a Java ResourceBundle. However, Berg teaches Java in association with a Hot Java browser, incorporating a JAR file and a Java ResourceBundle to be eventually run as an applet (Berg p.6 at numbers 5, 6, also p.7 at number 8; compare with claim 9). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Berg to Motoyama, because of Berg's taught advantage of JAR files and resource bundles, providing Motoyama with a way to utilize the advantages of said files for its dictionaries.

In regard to dependent claim 10, claim 10 reflects substantially similar subject matter as claimed in claims 1 and 9, and is rejected along the same rationale.

In regard to dependent claim 12, 13, claims 12, 13 reflect substantially similar subject matter as claimed in claims 9 and 10, and are rejected along the same rationale.

Response to Arguments

12.   Applicant's arguments filed 1/22/2002 (paper 10), and 3/8/2002 (paper 14) have been fully and

carefully considered but they are not persuasive.

Applicant argues on page 6 of the amendment (paper 10) that the cited art of record does not

teach resource files containing predefined passages of text as currently claimed. The Examiner notes that

a predefined passage of text can be interpreted as comprising a single word, with the majority of words of

a language already defined and in common use.

Applicant argues on p. 7 of the amendment (paper 10) that the cited art of record does not teach

or suggest a markup-language template with different language resources selectively substituted into said

template. In the Examiners rejections it is noted that Motoyama teaches translation of a document sections

from one language to another, said sections marked by SGML tags (Motoyama abstract). The Examiner

maintains that an SGML/HTML structured document suggests a template. Since a document template can

be interpreted as a predesigned document containing formatting, and in many cases, generic text (see last

Office Action (paper 9) reference Microsoft - paragraph 14), SGML/HTML contain hierarchically based

tag pairs for defining the structure of a document. As taught by Motoyama, the sections to be translated

are defined by said tag pairs. Because it is the text within said defined tags that is translated, the Web

document structure itself is a template directing a system towards the exact content to be translated.

Applicant's arguments (paper 14) are substantially directed to amended claim limitations, and are

moot in view of the new round of rejections.

Conclusion

13.   **Prior art made of record and not relied upon is considered pertinent to disclosure.**

Nii   U.S. Patent No. 5,659,765   issued   08/1997

Seltzer, Richard, Making the Web Truly Global, Web page (last revised 1/20/1998), downloaded from url: <http://www.glreach.com/eng/ed/art/autotranslate.html>, on 05/16/2002, pp. 1-6.

14.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to William Bashore whose telephone number is **(703) 308-5807.** The examiner can

normally be reached on Monday through Friday from 11:30 AM to 8:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Heather Herndon, can be reached on **(703) 308-5186.**

Any inquiry of a general nature or relating to the status of this application should be directed to

the Group receptionist whose telephone number is **(703) 305-3900.**

15.   **Any response to this action should be mailed to:**
          Commissioner of Patents and Trademarks
          Washington, D.C. 20231

       or faxed to:

          (703) 746-7239 (for formal communications intended for entry)

       or:
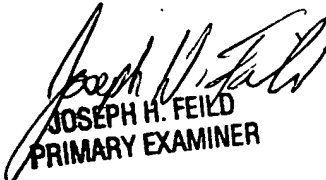   **(703) 746-7240** (for informal or draft communications, please label
          "PROPOSED" or "DRAFT")

       or:
          (703) 746-7238 (for after-final communications)

       **Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
       Arlington, VA, Fourth Floor (Receptionist).**

William L. Bashore
05/15/2002

JOSEPH H. FEILD
PRIMARY EXAMINER